

REMARKS

Claims 1-83 are pending. Claims 1-8, 10, 12, 34-40, 42, 44, and 46 including independent claims 1 and 34 are rejected. Claims 14-33 and 47-83 are allowed. Claims 9, 11, 13, 41, 43, and 45 are objected to. The Applicants gratefully acknowledge the allowance of claims 14-33 and 47-83 and the allowability of claims 9, 11, 13, 41, 43, and 45.

Independent claims 1 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rabenko (USP 6,763,032). Rabenko describes a system for synchronizing "a clock of the subscriber with respect to a clock of the headend" (Abstract). "Time slots which define the maintenance region 116 are optionally provided in a MAP 113. Such maintenance regions 116 may be utilized, for example, to facilitate the synchronization of the clocks of the CMs with the clock of the CMTS. Such synchronization is necessary in order to assure that each CM 1046 transmits only within its allocated time slots, as defined by each CM's transmit opportunity 114" (column 7, line 66 – column 8, line 6). "Guard bands are optionally provided at the beginning and end of each slot, so as to decrease the precision with which time synchronization between the CMTS and each CM must be performed. Thus, by providing such guard bands, some leeway is provided in the transmit time during which each CM inserts its data packet into the upstream channel 119" (column 8, lines 34-38).

Although the Applicants believe the independent claims 1 and 34 are allowable in their current form, the claims have been amended to facilitate prosecution. Claims 1 and 34 have been amended to include recitations of allowable dependent claim 9. More specifically, independent claims 1 and 34 have been amended to recite "wherein the common clock reference signal is distributed to the selected network devices including a distributed cable modem termination system (DCMTS) via a first downstream channel to thereby cause a local clock signal at the DCMTS to be synchronized to the common clock reference signal."

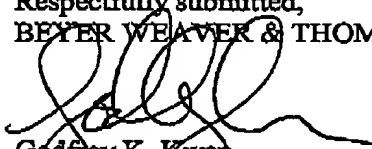
Rabenko does not teach or suggest providing "wherein the common clock reference signal is distributed to the selected network devices including a distributed cable modem termination system (DCMTS) via a first downstream channel to thereby cause a local clock signal at the DCMTS to be synchronized to the common clock reference signal." Consequently, independent claims 1 and 34 amended to include recitations of allowable dependent claim 9

The Examiner also rejected claims 66-74 under 35 U.S.C. 101 because the Examiner argues that the claimed invention is directed to non-statutory subject matter. Claims 66-74 have been amended to overcome this rejection.

In light of the above remarks and amendments relating to the independent claims, the remaining dependent claims are believed allowable for at least the reasons noted above.

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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